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10 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
11 **BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**
STATE OF CALIFORNIA
12

13 In the Matter of the Accusation Against:

Case No. VN-2006-1519

14 **TERRY LANE BAARS**
316 West Grovers Avenue
15 Phoenix, Arizona 85053

A C C U S A T I O N

16 **Vocational Nurse License No. VN 167814**

17 Respondent.
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19 Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Petition to Revoke Probation solely in her official
22 capacity as the Executive Officer of the Bureau of Vocational Nursing and Psychiatric
23 Technicians ("Bureau"), Department of Consumer Affairs.

24 2. On or about June 10, 1994, the Bureau issued Vocational Nursing License
25 Number VN 167814 to Terry Lane Baars ("Respondent"). The license expired on
26 February 28, 2006, and has not been renewed.

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4. Code section 118(b) provides, in pertinent part, that the expiration of a license shall not deprive the Board jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated. Under Code section 2892.1, the Board may renew an expired license at any time within four years after the expiration.

6. Code section 101.1(b)(1) states:

"In the event that any board, as defined in Section 477, becomes inoperative or is repealed in accordance with the act that added this section, or by subsequent acts, the Department of Consumer Affairs shall succeed to and is vested with all the duties, powers, purposes, responsibilities and jurisdiction not otherwise repealed or made inoperative of that board and its executive officer."

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1 COST RECOVERY

2 8. Code section 125.3 provides, in pertinent part, that the Board may request
3 the administrative law judge to direct a licensee found to have committed a violation or
4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
5 and enforcement of the case.

6 FIRST CAUSE FOR DISCIPLINE

7 (Out-of-State Discipline)

8 9. Respondent is subject to discipline under Code section 2878.8, in that on
9 or about November 14, 2007, in a case entitled *In the Matter of Practical Nurse License No.*
10 *LP 039936*, a Findings of Fact, Conclusions of Law and Order No. 0705005, attached hereto as
11 **Exhibit A**, was issued by the Arizona State Board of Nursing, wherein Respondent's Practical
12 Nurse License Number LP 039936 was revoked for violating the terms and conditions of
13 Consent Agreement and Order No. 0412111 ("Order"), attached hereto as **Exhibit B**, issued by
14 the Arizona State Board of Nursing on January 24, 2007. The Order issued by the Arizona State
15 Board of Nursing on January 24, 2007, required Respondent to submit to random urine drug
16 screens twice a month for the first six (6) months and monthly thereafter; submit quarterly
17 performance evaluations or self-reported forms; and practice as a practical nurse under direct
18 supervision. Respondent violated the terms and conditions of the Order by failing to submit an
19 employer performance report or self-report form; submit a quarterly employer performance report
20 or self-report form; and submit to urine drug screens twice a month during the first six (6)
21 months and monthly thereafter.

22 PRAYER

23 **WHEREFORE**, Complainant requests that a hearing be held on the matters
24 herein alleged, and that following the hearing, the Bureau of Vocational Nursing and Psychiatric
25 Technicians issue a decision:

26 1. Revoking or suspending Vocational Nursing License Number
27 VN 167814 to Terry Lane Baars;

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1 2. Ordering to Terry Lane Baars to pay the Board of Vocational Nursing and
2 Psychiatric Technicians the reasonable costs of the investigation and enforcement of this case,
3 pursuant to Code section 125.3; and,

4 3. Taking such other and further action as deemed necessary and proper.

5 DATED: October 15, 2008



TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer
Bureau of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
State of California
Complainant

10 SA2007102863

11 Accusation (kdg) 9/18/08